

**U.S. Department of Justice**  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**See *"Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER 2:07cv3361-MHT
DEFENDANT LYNNE BRACKINS	TYPE OF PROCESS Application, Affidavit, Writ of Garnishme

SERVE **AT** NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** LYNNE BRACKINS  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
 17654 S. Highway 84, Andalusia, AL 36421

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285 3
U. S. Attorney's Office ATTN: A. Gardner P. O. Box 197 Montgomery, AL 36101	Number of parties to be served in this case 3
Check for service on U.S.A. <i>REURNED AND FILED MAR 21 2008</i>	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (*Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service*)  
*U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.*

Fold  
 DOB: 3/23/60  
 SSN: XXX-XX-4451

Signature of Attorney other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
	<input type="checkbox"/> DEFENDANT	(334) 223-7280	2/12/08

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. <u>2</u>	District to Serve No. <u>1</u>	Signature of Authorized USMS Deputy or Clerk <i>K. Chavers</i>	Date 2/14/08
-----------------------------------------------------------------------------------------------------------------------------------	---------------	------------------------------------	-----------------------------------	-------------------------------------------------------------------	-----------------

I hereby certify and return that I      have personally served,      have legal evidence of service,      have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
Address (complete only different than shown above)	Date <u>2/25/2008</u> Time <u>16:00</u> <input type="checkbox"/> am <input checked="" type="checkbox"/> pm Signature of U.S. Marshal or Deputy <i>J. W. Nolen</i>

Service Fee <u>\$90.00</u>	Total Mileage Charges including endeavors <u>\$177.00</u>	Forwarding Fee	Total Charges <u>\$167.00</u>	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
-------------------------------	--------------------------------------------------------------	----------------	----------------------------------	------------------	-----------------------------------------------------

REMARKS:  
*2/25/2008: HIGHWAY 84 RUNS EAST AND WEST. CHECKED 84 EXTENSIVELY, BUT COULD NOT LOCATE 17654. THE NUMBERS END AT 14000'S*

**PRINT 5 COPIES:**

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION  
2008 FEB 13 PM 2:27

UNITED STATES OF AMERICA, PLAINTIFF, v. SUPERIOR BANK,  
BIRMINGHAM, AL, AND STERNE, AGEE, AND LEACH, INC.,  
BIRMINGHAM, ALABAMA, DEFENDANT.

Plaintiff, ) CRIMINAL NO. 2:07cv3361-MHT  
v. )  
SUPERIOR BANK, )  
Birmingham, AL, and )  
STERNE, AGEE, AND LEACH, INC., )  
Birmingham, Alabama, )  
Garnishees, )  
LYNNE BRACKINS, )  
Defendant )

RECEIVED  
FEB 14 2008  
CLERK  
MIDDLE DISTRICT OF ALABAMA  
2008 FEB 14 AM 11:30

APPLICATION FOR WRIT OF GARNISHMENT

TO: Honorable Debbie C. Hackett  
Clerk, United States District Court  
Middle District of Alabama  
Montgomery, Alabama 36101

Please issue writ of garnishment for the seizure from the garnishees, SUPERIOR BANK,  
17 N. 20th Street, Birmingham, Alabama 35203, and, STERNE, AGEE, AND LEACH, INC.,  
800 Shades Creek Pkwy, Birmingham, Alabama 35209, all property held in the possession of  
Superior Bank, and Sterne, Agee, and Leach, Inc., in the name of Lynne Brackins, to compel  
performance of the judgment entered March 8, 2006, in this cause. Said defendant has failed to

comply with said judgment as more fully appears from the affidavit of R. Randolph Neeley,

Assistant United States Attorney, attached hereto as plaintiff's Exhibit A.

Dated this 13th day of February, 2008.

LEURA G. CANARY

United States Attorney

BY:

  
R. RANDOLPH NEELEY

Assistant United States Attorney

Bar Number: 9083-E56R

Post Office Box 197

Montgomery, AL 36101-0197

Telephone No.: (334) 223-7280

Facsimile No.: (334) 223-7418

E-mail: rand.neeley@usdoj.gov

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
SUPERIOR BANK, )  
Birmingham, AL, and )  
STERNE, AGEE, AND LEACH, INC., )  
Birmingham, Alabama, )  
Garnishees, )  
LYNNE BRACKINS, )  
Defendant )

CRIMINAL NO. 2:07cv3361-MHT

AFFIDAVIT

I, R. Randolph Neeley, having been first duly sworn, depose and say as follows:

1. I am an Assistant United States Attorney and represent the United States of America, plaintiff, herein.
  2. Judgment was entered on March 8, 2006, for plaintiff and against defendant, Lynne Brackins, for the sum of \$120,100.00, lump sum payment due immediately.
  3. Defendant resides within the jurisdiction of this court at 17654 U.S. Highway 84, Andalusia, Alabama 36421.
  4. The judgment has not been satisfied, vacated, reversed, or barred by the Statute of Limitations, and is one on which execution may properly issue.

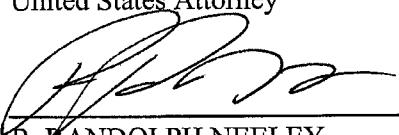
5. On May 1, 2007, defendant called plaintiff and advised plaintiff of funds in possession of Superior Bank, and requested that plaintiff file a writ of garnishment against these funds.

6. The balance on the judgment as of February 12, 2008, is \$119,733.39.

7. Upon information and belief, Lynne Brackins, defendant, has funds on deposit with garnishees, Superior Bank, 17 N. 20th Street, Birmingham, Alabama 35203, and, Sterne, Agee, and Leach, Inc., 800 Shades Creek Pkwy, Birmingham, Alabama 35209.

LEURA G. CANARY  
United States Attorney

BY:

  
R. RANDOLPH NEELEY  
Assistant United States Attorney  
Bar Number: 9083-E56R  
Post Office Box 197  
Montgomery, AL 36101-0197  
Telephone No.: (334) 223-7280  
Facsimile No.: (334) 223-7418  
E-mail: rand.neeley@usdoj.gov

Sworn to and subscribed before me this

13<sup>th</sup> day of February, 2008.

  
NOTARY PUBLIC

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. ) CRIMINAL NO. 2:07cv3361-MHT  
SUPERIOR BANK, )  
Birmingham, AL, and )  
STERNE, AGEE, AND LEACH, INC., )  
Birmingham, Alabama, )  
Garnishees, )  
LYNNE BRACKINS, )  
Defendant )

WRIT OF GARNISHMENT

TO THE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF ALABAMA:

Judgment having been entered in the above cause on March 8, 2006, in the sum of \$120,100.00, against the defendant, Lynne Brackins, said sum having not been paid, you are commanded to seize from the garnishees, Superior Bank, 17 N. 20th Street, Birmingham, Alabama 35203, and, Sterne, Agee, and Leach, Inc., 800 Shades Creek Pkwy, Birmingham, Alabama 35209, all proceeds belonging to said defendant, Lynne Brackins, including but not limited to, checking account funds, savings account funds, private reserve account funds, 401K, retirement funds, IRAs, CDs, and make return of this writ, and the execution thereof, according to law.

ATTEST: A True Copy. 2-14, 2008.  
Certified to Clerk, U.S. District Court,  
Middle District of Alabama  
BY J. E. K. Lent  
Deputy Clerk

Case 2:07-mc-03361-MHT Document 6 Filed 02/14/2008 Page 2 of 2

IN WITNESS WHEREOF, I, Debbie C. Hackett, Clerk of said Court, have Set My Hand this  
the 14<sup>th</sup> day of February, 2008.

DEBBIE C. HACKETT, Clerk  
United States District Court  
For the Middle District of Alabama

BY:   
Deputy Clerk